

BY THE

# Governor of the State of Texas

## TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, The Forty-first Legislature at its Extraordinary Session passed Senate Bill No. 14, being "AN ACT making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on taking effect of this Act, and declaring an emergency"; and,

WHEREAS, certain items of said Bill have been vetoed, as set out in the following statement, which has been filed with said Bill in the office of the Secretary of State:

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT I, DAN MOODY, Governor of the State of Texas, under and by virtue of the authority vested in me by the Constitution and Laws of this State, have vetoed said items in said Bill, and have approved all other items in said Bill, for the reasons stated and on file, and do hereby proclaim said action to have been taken.

IN TESTIMONY WHEREOF, I have hereunto  
signed my name officially and caused  
the seal of State to be impressed  
hereon at Austin, Texas, this the 9th  
day of August, A. D. 1929.

BY THE GOVERNOR:

*Watt L. Saunders*

Secretary of State

*Assistant*

*Dan Moody*  
GOVERNOR OF TEXAS

(9)15

7-1

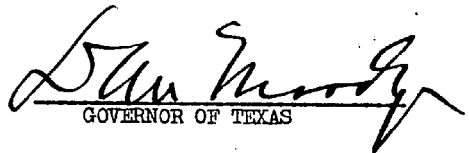
2757

EXECUTIVE OFFICE  
AUGUST 9, 1929

I have approved all of the items of appropriations carried in this Bill to pay claims concerning which I was thoroughly satisfied.

Any claim upon which I was not convinced, or concerning which I did not have sufficient information to satisfy my mind, I have vetoed. Additional facts in support of some of these claims may be presented at another time, and, for that reason I do not want my veto of any item to be regarded or taken as a reflection upon the fairness of the claim which was made its basis.

I have vetoed the items listed above for the reasons stated.

  
GOVERNOR OF TEXAS

The following items in Senate Bill Number 14, being

"AN ACT making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on taking effect of this Act, and declaring an emergency."

are hereby vetoed.

To pay Joseph W. Bell, executor of the Estate of Dr. John F. Bell, for over-paid inheritance tax	\$1,164.68
To pay Southwestern Bell Telephone Company	13.88
To pay Southwest Hardware & Marine Supply Co. Houston, Texas	68.37
To pay one month's salary for labor H. F. Carlisle	108.50
To pay Gulf Refining Company	37.36
To pay W. T. Davis for services as Special Associate Justice of the 9th Court of Civil Appeals at Beaumont for four days	55.52
To pay Travis Lackey for services as Special District Attorney of the 84th Judicial District	60.00
To pay Ft. Worth and Denver Terminal Co. as a refund of tax and penalties erroneously paid under Chapter 2, Section 16, of the Act of the 30th Legislature, same being Article 7384 of the Revised Civil Statute of 1911	3,210.80
To pay E. O. Moffett Official Court Reporter of the 94th Judicial District for transcript in cause No. 32975	90.00
To pay Knights of Pythias Lodge No. 297 of Stamford, Texas as a refund of franchise taxes erroneously paid to the State	65.00
To pay Verein Frohsinn of Weimer, Texas as a refund of franchise taxes erroneously paid to the State	349.50
To pay Beall Hardware Company as a refund of franchise taxes erroneously paid to the State	17.50
To pay O. A. Matthews, refund of payments made to the State on the W. M. Slay purchase of Alex H. Kerr, School Survey, Baylor and Throckmorton Counties	776.13

To pay Illinois Bankers Life Association, refund of money over paid to the State as Taxes for the year 1926	\$ 1,175.58
To pay Wiley Pollard, Sheriff of Potter County, for expenses incurred outside of the State in going to Leavenworth, Kansas and returning with two prisoners, Ellery Roberts, alias A. R. English, and Nicholas V. Troeter, alias Roy Anderson	549.18
To pay Dr. I. Warner Jenkins, of Waco, Texas, for treating J. F. Hardy, an inmate of the confed- erate home at Austin	50.00
To pay Judge L. M. Goss for two days salary as Special Judge of the 28th Judicial District	20.00
To pay E. T. Anderson for services in two felony cases State v. Epps, and State v. Haynes	30.00
To pay Carl Busch for expenses incurred in cases No. 5553 and 5556	40.00
To pay Ben S. Baldwin for salary as acting District Attorney for the 84th Judicial District from Oct. 27, 1928 to Oct. 31, 1928	100.00
To pay Gammel's Book Store for books furnished the Attorney General	35.00
To pay Mrs. S. S. Heard for services as Secretary to Mrs. J. E. King, Chairman, of the Board of Supervisors of the State Penitentiaries	447.00
To pay the International & Great Northern Ry. Co. balance due undercharge on freight bill No. 5119	181.67
To pay Lawyers Cooperative Publishing Co. for books furnished Attorney General	12.50
To pay F. A. Mitchell, amount overpaid as taxes to Presidio County	85.22
To pay H. S. McCready for amounts expended for railroad fare, hotel and meals on a trip to Portland and Spokane to get a prisoner	235.18

2760

4-3

To pay B. G. Neighbors, County Attorney for one day's services representing the State in the absence of the District Attorney	20.00
To pay Tobins of Austin, Texas, for stationery and supplies furnished the Board of Supervisors of the State Penitentiaries from 1923 to 1925	61.83
To pay Tobins of Austin, Texas for stationery and supplies furnished Texas State Park Board	1.84
To pay Tobins for stationery and supplies furnished Juvenile Training School	1.12
To pay Tobins for stationery and supplies furnished Southwest Texas State Normal	53.70
To pay Tobins for stationery and supplies furnished Texas Technological College	112.61
To pay Tobins for stationery and supplies furnished to Girls Training School	71.04
To pay Mattie Vaught, refund of excessive amount paid to the State Highway Department as Automobile Registration fees, said amount to be paid out of the Highway Fund	27.75
To pay Jim W. Weatherly for damage to the Farm house near Nacogdoches, caused by the State while dynamiting the road to be paid out of State Highway funds	94.00
To pay W. C. Davis for injuries received in October 1928 in McLennan County while in the employ of the State Highway Department to be paid out of State Highway fund in full settlement of said claim	1,500.00
To pay Mrs. Ed Mills for damages for the death of her husband, Ed Mills, who was an employee of the State Highway Department, due to a bridge accident on February 14, 1928, on Highway No. 3, at Columbus, Colorado County, Texas, out of State Highway funds	3,000.00

To pay Texas Electric Railway, Dallas County, Texas, for refund on Gross Receipts Taxes over paid to the State of Texas for the years 1917 to 1927 inclusive	\$26,470.95
To pay the Michie Company, for three copies 1921 Texas Annual and three copies of 1922 Texas Annual	45.00
To pay the State National Bank of Mineral Wells, refund of franchise taxes erroneously collected	50.00
To pay Parker County National Bank, or its successors or assigns refund of franchise taxes erroneously collected	79.50
To pay Security State Bank of Mineral Wells, or its successors or assigns, refund of franchise taxes erroneously collected	50.00
To pay R. J. Minton, Commissions on \$1153.29 @ 10% on Delinquent State Taxes collected	115.32
To pay Independent Oil Company of Cleburne, Texas, for occupation taxes erroneously collected	240.48
To pay Malone Filling Station, Malone, Texas, for gasoline taxes erroneously collected	1,493.62
To pay Mrs. Barbara Hawkins Smith of Floyd County, Texas for refund double taxation	13.00
To pay Vernon Law Book Co. for book purchased by Court of Civil Appeals, Sixth District	4.50
To Bancroft-Whitney Company for book purchased by Court of Civil Appeals, Sixth District	7.50
To pay West Publishing Company for subscription for Code Quarterly Service for Court Civil Appeals Sixth District	4.00
To pay F. G. Hughitt, Mills County, for over-payment of taxes in 1926	36.62
To pay August Vogelsang, Runnels County, for overpayment taxes 1916 to 1926 inclusive	58.95
To pay F. G. Hoelscher, Runnels County, for overpayment of taxes 1921 to 1925 both inclusive	30.21
To pay N. E. Rash, Sulphur Springs, Texas, for overpayment of taxes 1918 to 1926 inclusive	34.55
To pay Anders Chevrolet Co. Huntsville, Texas, account due by Texas State Prison System	100.00

2762  
4-5

To pay Mrs. Laura Poe, Denton County, damages done to house and furniture by officers in arresting W. A. Martin	\$ 296.00
To pay Industrial Accident Board, Medical fees due by Board	70.00
To pay Willis W. Waite, M.D. El Paso, Texas, for going from El Paso to Midland, Texas, and investigating a condition reported as pneumonic form of bubonic plague conducting a post-mortem and making examinations providing the condition to be lobar pneumonia- at the order of Dr. Sappington, then State Health Officer, Feb. 1925	300.00
To pay International & Great Northern R. R. Co. for freight and demurrage bill B-73 in the handling and transporting of Cowboy Statue placed on the Capitol Campus	88.00
To pay the Galveston- Harrisburg & San Antonio Ry. Co. for the construction of a service track on the camp site of the 36th Division ( Texas National Guard) near Palacios, Texas	2,042.96
To pay Seton Infirmary, X-Ray and Operating Room fee for Jack Powell, member Headquarters Detachment, 36th Division Trains, who suffered a broken arm in line of duty	14.00
To pay Drs. Watt & Watt, Austin, Texas, for professional services rendered Jack Powell	25.00
To pay Farmers Mutual Insurance Association as a refund of franchise taxes erroneously paid to the State	130.00
To pay The Adjutant General, State of Texas, refund of Gasoline Tax on Gasoline used in United States Government Airplanes	36.43
To pay Harrison- Williams Gin Co., Lynn County, account against State Department of Agriculture	20.79
To pay Plains Gin Co. Lamesa, Texas, account against State Department of Agriculture	30.96
To pay Farmers Cooperative Society No. 1, of Wellington, Texas, refund of annual license fee illegally collected by the State Marketing Division, for the fiscal years beginning Sept. 1, 1927, and ending Sept. 1, 1929	20.00

2763

4-6

To pay Universal Life Insurance Co. Memphis, Tenn., refund for over-payment of tax	\$ 730.87
To pay Westex Oil Co., Amarillo, Texas, refund Gross Production Tax	7,424.94
To pay Twin-Six Oil Co. Amarillo, Texas, refund Gross production tax	127.49
To pay South Hutchinson Oil Co., Amarillo, Texas, refund, Gross Production tax	99.09
To pay the Galveston Electric Co. Galveston, Texas, refund Gross Receipts Tax	165.66
To pay Grayburg Oil Co. San Antonio, Texas, refund of occupation tax upon the sale of gasoline	3,254.94
To pay Rio Grande Oil Co. El Paso, Texas refund of occupation tax paid upon sales of gasoline	1,059.84
To Pay Polish Independent Gin Co. Chappel Hill, Texas, refund of Franchise Tax	10.00
To Pay El Paso Electrician Co. El Paso, Texas, for over payment of Franchise Tax	63.50
To Pay Aransas Compress Co. Corpus Christi, Texas, refund of Franchise Tax	54.11
To pay First Trust & Savings Bank of Waco, refund of franchise tax paid by First State Bank & Trust Co. of Waco, which Institution was caused to surrender its charter and its assets were sold to the First Trust & Savings Bank of Waco	137.00
To pay The State National Bank of Bonham, Texas, re- fund of Franchise Tax paid by the First State Bank of Bonham, Texas, the said First State Bank being legally converted into the State National Bank before tax was legally due	151.50



To pay Fort Worth Freight Bureau, Fort Worth, Texas, refund of Franchise tax for the years 1908 to 1928, inclusive, said corporation being exempt from a franchise tax	205.33
To pay Triple Sand Oil Co., of San Antonio, Texas, for excess franchise tax paid	37.50
To pay J. H. Wooten, Jr., Carthage, Texas, refund for taxes erroneously assessed and collected	27.30
To pay Robert Johnson, Carthage, Texas, refund of taxes erroneously assessed and collected	7.20
To pay Karotkin Furniture Co. San Antonio, Texas, refund franchise tax	76.50
To pay Real Service Station, Amarillo, Texas, refund of Gasoline Sales Tax	196.00
To pay J. P. Trout, Bowie, Texas, refund on gasoline sales tax	203.19
To pay Grisham Bros. Eastland, Texas, for collection of delinquent taxes in Eastland County	4,535.31
To pay George Brogden, Eastland, Texas, for abstract work in connection with collection of delinquent taxes in Eastland County	2,267.65
To pay Mrs. Mabel H. Roberts, Dallas, Texas, refund double tax payment in Harris County	9.46
To pay Miss Maud Richow for medical services and other expenses incurred by reason of injuries sustained when State Highway Truck collided with automobile in which she was riding, said amount to be paid out of the Highway Fund of the State of Texas	194.15
To pay various and sundry persons, firms and corporations amounts due each by reason of the establishment by the State of Texas of regulated and restricted zones in certain areas; and in complying with said rules and regulations said persons, firms and corporations were compelled to incur losses; and to pay money for the sterilization of seed and the fumigation of cotton; all of which was done to prevent	

the spread of the pink boll worm. Provided that no claims shall be paid out of this fund unless same was sustained or incurred during the years 1928-29 and unless same has been allowed by the Compensation Claim Board or by a final judgment as provided in Chapter 3, Title 4 of the Revised Civil Statutes of 1925 and as provided by Chapter 42 of the Acts of the 41st Legislature at the Regular Session, the sum hereby appropriated being the sum of One hundred and Fifty Thousand Dollars \$ 150,000.00

To pay Marshall Hicks for services as Special Judge in District Court of Duval County, Texas, 79th Judicial District 76.65

To pay W. M. Williamson, Eagle Lake, Texas, for services as Special Judge of the 25th Judicial District, Colorado County 41.07

To pay S. W. Davis, Tyler, Texas, for services rendered preparing statement of facts, etc in the case of The State of Texas vs. T. E. Kelly, tried in the District Court of Wood County 35.50

To pay G. W. Witt, Cookville, Texas, for damage to meadow and store house, by the maintenance force burning grass on Highway No. 1, near Cookville, in January 1928, to be paid out of Highway Fund 369.50

To pay C. M. Workman, Decatur, Texas, for injuries sustained while working for the Highway Department in Wise County during the Summer of 1927 800.00

To pay the American Publishing Co. Austin, Texas, advertising for the State Textbook Commission 57.60

To pay Raymon Vesey, Milam County, for injury sustained while working for Highway Department on Highway No. 44, Milam County, during month of April, 1927 1,136.00

to pay T. C. Jackson, Crane, Texas, for conducting six examining trials in Crane County in 1927 and 1928 30.00

To pay Claude Benton, Sheriff, Deaf Smith County, for trip to Arizona for Bart Sisk 95.00

to pay Geo. T. Bevil, Sheriff Camp County, expenses to Tennessee and Missouri for S. J. Cregger and A. L. Mason, fugitives from justice 184.84

2766

4-9

To pay Leo Bird, Panola County, Expenses to Oklahoma and return with two prisoners, J. E. Sikes and S. B. Cockrell	\$ 121.00
To pay Joe Boyd, Deputy Sheriff Brown County, expenses to California and return with two prisoners, L. L. Brown and O. J. Stambough	106.90
To pay John T. Carlisle, Sheriff Lee County, Texas, expenses to Detroit, Mich. and return with Tex Donovan, and to Mississippi and return with Lucius Washington	374.43
To pay W. Frank Edmonson, Sheriff Wilbarger County, Texas, expenses to Illinois and return with Bertha Willie	140.46
To pay F. O. Flippen, Sheriff Hopkins County, Texas, expenses to California and return with Leo Stanton	184.60
To pay T. H. Garner, Sheriff Jefferson County, Texas, expenses to Florida and return with Jim Linton and to Pennsylvania and return with Mrs. Geraldine Kyan Sherwood	407.36
To pay S. H. Hall, Sheriff Sabine County, Texas, expenses to Florida and return with M. Gill	178.42
To pay D. M. Hassler, Sheriff Erath County, Texas, expenses to Philadelphia and return for Walter Makar alias Walter Monastyrski, Pennsylvania authorities would not permit prisoner to return. Second trip to Philadelphia and return with Walter Makar alias Walter Monastyrski, and trip to Illinois and return with J. C. Parsons	370.94
To pay Sam Hess, Sheriff Titus County, Texas, expenses to Kansas and return with Varnie Buchhannon	62.75
To pay L. V. Hightower, Sheriff Liberty County, Texas expenses to Arkansas and return with Joe Johnson	46.67
To pay A. D. Karnes, Sheriff Mills County, Texas expenses to California and return with Pete Carlisle	180.50
To pay W. A. Kirby, Sheriff Collin County, Texas, expenses to Oklahoma and return with Herman Parrish	28.26
To pay W. A. Kirby, Sheriff Collin County, Texas, expenses to California and return with Robt. R. Franks	72.30
To pay E. B. Kiser, Sheriff Reeves County, Texas, expenses to Arizona and return with J. D. Richardson, and to New Mexico and	2767

return with J. B. French	289.10
To pay E. B. Kiser, Sheriff Reeves County, Texas, expenses to California and return with Billie Brice Cannon	346.50
To pay Ben D. Lee, Sheriff Nueces County, Texas, expenses to Louisiana and return with Roy Faulber alias Roy Smith to Kansas City, Mo. and return with H. D. Johnson to St. Louis, Mo. and return with L. D. Boyles, to Ark. and return with Martin Scroggins	171.15
To pay Joe Leo, Sheriff Ellis County, Texas, expenses to Arkansas and Oklahoma, three trips, and return with Paul Dennis, J. A. Wages, and Ruby Love. To Indiana and return with B. J. Minor	160.11
To pay C. S. Looney, Constable Eastland County, Texas, ex- penses to Oklahoma and return with Dee Johnson	43.70
To pay Joe Mangrum, Sheriff Matagorda County, Texas, expenses to Mississippi and return with M. Matt Lavail	60.37
To pay Schuyler Marshall, Ex-Sheriff Dallas County, Texas, expenses for various trips to other states and return to state line with fugitives from justice, for years 1925-1926	5,973.64
To pay H. H. Mathews, Sheriff Uvalde County, Texas, expenses to Arizona and return with Jay Smith	280.95
To pay John D. McDermitt, Sheriff Crosby County, Texas, expenses to Arizona and return with E. E. Reeson	69.00
To pay R. E. McWilliams, Sheriff Runnels County, Texas, ex- penses to California and return with C. M. Bertram, two trips to Oklahoma and return with George Miller and C. Y. Dixon	231.70
To pay H. T. O'Bar, Sheriff Taylor County, Texas, expenses three trips to Oklahoma and return with P. E. Crompton, L. F. Stovall and H. G. Ainsworth	93.55
To pay W. W. Sandifer, Sheriff Robertson County, Texas, expenses to Louisiana and return with Roy L. Seaton	57.76

To pay Wiley Pollard, Sheriff Potter County, Texas, expenses to Kansas and return with Dewey Nichols	\$ 59.20
To pay J. W. Simpson, Sheriff Lynn County, Texas, expenses to Arkansas and return with B. L. Dowdy	85.00
To pay Fred K. Smith, Sheriff Wichita County, Texas, expenses to Oklahoma and return and B. L. Guinn	44.68
To pay Leslie Stegall, Sheriff McLennan County, Texas, expenses to Georgia, and return with H. Palmer, E. Rock and E. H. Hainey	222.94
To pay J. W. Stewart, Sheriff Navarro County, Texas, expenses to Florida and return with Pete Alexander	347.10
To pay Thos. W. Taylor, Sheriff Marion County, Texas, expenses to Arkansas and return with Charley Fraser	36.00
To pay David Terry, Sheriff Freestone County, Texas, expenses two trips to California and return with Green Waters and W. W. Goar	294.00
To pay W. W. Waid, Sheriff Hunt County, Texas, expenses to Alabama and return with Fred Harrison and to Colorado and return with Johnie George	188.05
To pay Len Irvin, Sheriff Lamb County, Texas, for Sheriff's fees in Felony cases	360.00
To pay J. E. McCollum, Sheriff Bee County, Texas, Sheriff's fees in felony cases	40.00
To pay V. Y. Sadler, Sheriff Martin County, Texas, sheriffs fees in felony cases	686.20
To pay J. B. Self, Sheriff Baylor County, Texas, sheriff's fees in felony cases	922.95
To pay Renolds, Lowry, Anna McKinney Lowry, and Mrs. Mary Nelson Lowry Nolen, nee Mary Nelson Lowry, share and share alike in full settlement of their right, title interest and claim, and the right title, interest and claim of any and all heirs and representatives of Thos. F. McKinney against the State of Texas, for, or on account of money, property and credit, and advances	

of every character furnished by the said Thos. F. McKinney to the Republic of Texas. The records show that this claim, in the above amount was recognized by the Legislature of Texas in 1871 /1873 respectively, but was not actually paid and has never been paid. Satisfactory proof was submitted to the claims Committee that Reynolds Lowry, Anna McKinney Lowry, and Mrs. Mary Nelson Nolen are entitled to receive the sum here allowed, under the wills of the said Thos. F. McKinney and his wife, Mrs. Anna McKinney; but for further certainty, it is directed that the Comptroller shall deliver the warrant for the sum hereinbefore allowed, only upon the filing with him of a certificate of the County Judge of Travis County, where said Claimants reside, to the effect that properly certified copies of the wills of the said Thos. F. McKinney and his wife, Mrs. Anna McKinney, have been filed with him, together with at least two written affidavits of responsible and credible persons, showing that claimants are the only children and heirs at law of Mrs. Mag. A. Lowry, residuary legatee, and that under the provisions of said wills and the facts, said sum is legally payable to the said Reynolds Lowry, Anna McKinney Lowry, and Mrs. Mary Nelson Nolen, the certified copies of said wills and the written proofs submitted to the company said certificate to be paid \$8,471.40 each year of the biennium .

\$16,942.80

To pay Blanket Warrants issued August 31, 1927, by the Comptroller of Public Accounts, to Judges of the Supreme Court, Commission of Appeals, Court of Criminal Appeals and the Eleven Courts of Civil Appeals, under authority of Chapter 273, Page 411, Acts of the 40th Legislature, Regular Session, increased salaries

\$ 16,674.39

To pay Blanket Warrants issued August 31st 1927 by the Comptroller of Public Accounts to the District Judges of this State, under authority of Chapter 273, Page 411, Acts of the Fortieth Legis- lature, Regular Session, increased salaries	\$ 22,788.97
To pay D. A. Turner, Denison, Texas, for expenses incurred while employed by the Game, Fish and Oyster Commission in December, 1925, said amount to be paid out of the Game Fund	192.00
To pay Wiley Pollard, Sheriff Potter County, Texas, expenses to Oklahoma and return with E. C. Childs	47.24
To pay Atlantic Life Insurance Co. of Virginia, for refund of excess taxes paid	2,850.66
To pay Buffalo Refining Co., Sherman, Texas, for re- fund of gasoline tax	286.45
To pay A-C Motor Company, Comanche, Texas, for refund of gasoline sales tax	21.26
To pay A. W. Mellon, Director General of Railroads, Claim against State Railroad	2,443.40
To pay Farmers Cooperative Society, Vernon, Texas, refund of fee paid Marketing Division, Department of Agriculture, same being illegally collected	15.00
To pay Imperial Royalties Co., Kansas City, Mo., refund of Gross Production Tax	1,810.62
To pay Monarch Oil Corporation, refund of Gross Receipts tax illegally collected	2,580.97

To pay A. B. McKenzie, Sheriff, Limestone County,  
expenses State line to Colorado and return with  
prisoner

\$ 116.50

To pay Rollin Richmond for damages for injury sustain-  
ed while working for State Highway Department in Hays  
County, San Marcos, Texas, to be paid out of State  
Highway funds

1,136.00

2772

4-15